

## EXHIBIT 2

From: Kirk Boyd <[jkb@drjkb.com](mailto:jkb@drjkb.com)<<mailto:jkb@drjkb.com>>>  
Sent: Friday, May 26, 2023 11:28 AM  
To: Dhillon, Navi <[navidhillon@paulhastings.com](mailto:navidhillon@paulhastings.com)<<mailto:navidhillon@paulhastings.com>>>;  
Grunbaum, Lucas  
<[lucasgrunbaum@paulhastings.com](mailto:lucasgrunbaum@paulhastings.com)<<mailto:lucasgrunbaum@paulhastings.com>>>; Andrew Packard  
<[andrew@packardlawoffices.com](mailto:andrew@packardlawoffices.com)<<mailto:andrew@packardlawoffices.com>>>  
Subject: [EXT] Go ahead from agencies and upcoming June 2 Joint Status Update

Dear Navi,

I write with some good news: Both TRPA and State Lands have sent emails saying that removal can take place between Memorial Day and Labor Day. (emails attached). This means that the cables can be removed in accordance with the Consent Decree, by July 27, 2023.

We are glad to work with you to facilitate the removal process with local contacts that we have. As I've mentioned to you during a recent zoom call, The Lake Forest ramp, just outside of downtown Tahoe City, is the largest on Lake Tahoe. It also has a large parking area where the trucks arriving to be loaded with cable can enter and have easy access to the ramp for loading.

The Tahoe City Public Utility District owns this ramp and they have said that the ramp is immediately available. It would be easier than Tahoe Keys.

I've also met with the Harbormaster for Obexer's ramp on the Westshore. He too has said that their ramp is immediately available. This ramp is near where the longest cable runs along west shore. The Tahoe Keys management has also said that they are ready now to provide access for the removal, although, as I've said, Lake Forest would be easier.

It is AT&T's choice as to who will remove the cable, but I'd also like to mention that a local barge operator, Tahoe Marine and Excavation, has two barges on the water now at Tahoe City, right near the Lake Forest ramp. One barge already has a large excavator on it that can be used to pull up the cable, cut it, and place it in truckbeds. It's possible for Tahoe Marine to have this work done in two weeks. It will only take 9 or 10 truckloads of cables to get this done. Tahoe Marine has provided an estimate for removal of \$420,000 and that includes the use of a pneumatic pincher so that there doesn't need to be sawing of the cable and no debris will go into the lake as the cable pieces are pinched.

As you know, the Court has directed us to submit a Joint Status Update by June 2. I hope that you have a good Memorial Day weekend, and that we can work together next week to put together the details in a Joint Status Update as to how the removal work can be done on a timeline for completion by July 27.

I have pictures I took of the Lake Forest and Obexer ramps and I'm glad to provide them to you, along with a detailed breakdown estimate from Tahoe Marine.

Best,

Kirk

On May 26, 2023, at 11:39 AM, Dhillon, Navi

<[navidhillon@paulhastings.com](mailto:navidhillon@paulhastings.com)<<mailto:navidhillon@paulhastings.com>>> wrote:

Hi Kirk

Thank you for the e-mail. Can you please send the actual e-mails as attachments? The language below does not say that the agencies are waiving permit conditions that would allow for removal of the cables during the recreation season. Fairly read, the language below just says the work can proceed in compliance with the terms of the permit. It is very common for an agency to take that position.

Maybe we can set a time for a call early next week?

Hope you and yours have a great Memorial Day and we look forward to working together.

From: Kirk Boyd <[jkb@drjkb.com](mailto:jkb@drjkb.com)<<mailto:jkb@drjkb.com>>>

Sent: Friday, May 26, 2023 12:25 PM

To: Dhillon, Navi <[navidhillon@paulhastings.com](mailto:navidhillon@paulhastings.com)<<mailto:navidhillon@paulhastings.com>>>

Cc: Grunbaum, Lucas

<[lucasgrunbaum@paulhastings.com](mailto:lucasgrunbaum@paulhastings.com)<<mailto:lucasgrunbaum@paulhastings.com>>>; Andrew Packard

<[andrew@packardlawoffices.com](mailto:andrew@packardlawoffices.com)<<mailto:andrew@packardlawoffices.com>>>

Subject: [EXT] Re: Go ahead from agencies and upcoming June 2 Joint Status Update

Hi Navi,

What these emails say, most importantly, and what is worth celebrating because we can get this done, is that there is nothing in the permits that is a prohibition on the removal activity occurring between Memorial Day and Labor Day. There may be some conditions, like having a professional observer on the barge at times, but nothing that will restrict the work from getting done by July 27, and having the Consent Decree being followed, as the Court is likely to want us to do.

I'm forwarding the emails to you. Let's keep thinking together in writing through emails. You can see I'm glad to provide you all details, including pictures and a removal estimate. This way the Court will be able to see the details, and what is possible, when we submit our Joint Status Update.

Do have a great Memorial Day. I'll be here at Tahoe enjoying the scenery and thinking about how we can get this done. It will be a good feeling for all concerned when these cables are out.

Kirk

On May 26, 2023, at 4:43 PM, Dhillon, Navi

<[navidhillon@paulhastings.com](mailto:navidhillon@paulhastings.com)<<mailto:navidhillon@paulhastings.com>>> wrote:

Hi Kirk

Thanks for the note and please let us know a good time to connect next week. As stated below, the e-mails below do not state there are no restrictions on cable removal during the peak recreation season and it would be helpful for us to learn more about your conversations with the agencies before we speak with them. As we've explained before, there are multiple agencies here and all permitting requirements must be met. For example, the right of entry restriction is a condition imposed by other agencies (State Parks) that is independent of the TRPA approval.

Look forward to connecting soon. Have a great weekend.

Best regards

From: Kirk Boyd <[jkb@drjkb.com](mailto:jkb@drjkb.com)<<mailto:jkb@drjkb.com>>>  
Sent: Friday, May 26, 2023 5:13 PM  
To: Dhillon, Navi <[navidhillon@paulhastings.com](mailto:navidhillon@paulhastings.com)<<mailto:navidhillon@paulhastings.com>>>  
Cc: Grunbaum, Lucas  
<[lucasgrunbaum@paulhastings.com](mailto:lucasgrunbaum@paulhastings.com)<<mailto:lucasgrunbaum@paulhastings.com>>>; Andrew Packard  
<[andrew@packardlawoffices.com](mailto:andrew@packardlawoffices.com)<<mailto:andrew@packardlawoffices.com>>>  
Subject: [EXT] Re: Go ahead from agencies and upcoming June 2 Joint Status Update

Hi Navi,

Previously you made representations that the language in the permits prohibited removal activity between Memorial Day and Labor Day. We disagreed with you and, as we explained to the Court in our Status Update, we asked for time to talk with the agencies and see if there is a prohibition of removal activities between Memorial day and Labor Day.

The Court issued a minute order giving us 10 days to talk with the agencies and determine whether there is an absolute prohibition. As you can see, we acted promptly, and the emails that I have sent you reflect that the two people for TRPA and State Parks who prepared the permits have written that there is no prohibition on these removal activities between Memorial day and Labor Day.

At this juncture, it's appropriate that we all work together to make sure that the Consent Decree is followed, and that the removal is done by July 27 as is required in the Consent Decree. The emails that you and I are now sending should be talking about ramps, trucks, and how the cables are going to be removed from the lake. As you know from my explanation to you, I have been genuinely assisting by collecting information that can benefit all concerned about the removal operation.

I am happy for us to focus in writing about the details so that we get this done, but I do not want to have a future telephone call that may, unfortunately, deteriorate into letters being written to the Court about what was said or not said. That is painful and to be avoided.

Please respond in an email regarding the details of what is being done to prepare for removal by July 27, including whether you are willing to consider local barges they can do the work right now, or the largest boat ramp on Lake Tahoe that is available right now. We have an obligation to follow the guidelines of the Consent Decree, and explain, together, to the Court by June 2, how this is being done.

The agencies want to work with us. No one wants cables leaking lead into the lake to remain there. You mention State Parks. The email from Silver is from State Parks. They are in accord with TRPA that there is no prohibition stopping the removal of the cables between Memorial Day and Labor Day.

I'm glad to work on this, even over Memorial Day weekend, so that the work preparation is done in a timely manner, and the details are provided to the Court on June 2, as they should be.

At the same time, and I hope this for you as well, let's find some time over Memorial Day to enjoy the outdoors that we care about.

Best,

Kirk